

**Notice of Allowability**

Application No.

10/724,425

Examiner

Joe H. Cheng

Applicant(s)

THOMAS, C. DOUGLASS

Art Unit

3715

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendment filed 7/13/05.
2. ☒ The allowed claim(s) is/are 1-21.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date <u>5/26/05 &amp; 7/13/05</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material  | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

## REASONS FOR ALLOWANCE

### *Continued Examination Under 37 CFR 1.114*

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on May 26, 2005 has been entered. In addition, in response to the Amendment filed on July 13, 2005, claims 1-21 are pending. Further, applicant is informed that the U.S. Patent No. 5,259,766 cited in the Information Disclosure Statement (IDS) filed on May 26, 2005 has been crossed out by the Examiner, because it is the duplicate of the document cited by the Examiner (see the Notice of References Cited (Paper No. 20040427)).

2. The following is an examiner's statement of reasons for allowance:

None of the prior art of record shows the combination of the method steps of the claimed method for improving a user's performance on multiple choice examinations by displaying a question and a plurality of answer choices, receiving the user's selection of one of the answer choices, determining whether the answer choice selected by the user is the correct answer choice, displaying a visual indication of whether the selected answer choice is the correct answer choice, displaying an explanation of the correctness or incorrectness of the selected answer choice, and displaying substantive information that is linked to the question that has been presented to the user at the user's request, wherein the explanation and the visual indication are displayed concurrently (as per claims 1-20); or the claimed tangible computer readable medium including

at least computer program code executable by a computer for assisting a user with preparation for an examination having multiple-choice questions comprising computer program code for displaying a question and a plurality of answer choices, computer program code for receiving the user's selection of one of the answer choices, computer program code for determining whether the answer choice selected by the user is the correct answer choice, computer program code for displaying a visual indication of whether the selected answer choice is the correct answer choice, computer program code for causing an explanation of the correctness or incorrectness of the selected answer choice to be displayed, computer program code for displaying predetermined text that is linked to the question that has been presented to the user at the user's request, the predetermined text corresponding to text provided in a textbook used in preparing for the examination, computer program code for displaying a time duration, computer program code for displaying performance information for the user at the user's request, the performance information including at least a percentage correct, and computer program code for enabling the user to repeat those questions that were previously answered incorrectly, wherein the explanation and the visual indication of whether the selected answer choice is the correct answer choice are displayed, at a user's request, after the user has selected one of the answer choices and the computer program code for determining has determined whether the answer choice selected by the user is the correct answer choice, after the explanation and the visual indication of whether the selected answer choice is the correct answer choice are displayed, the computer program code for receiving the user's selection of one of the answer choice can receive a newly selected answer choice for the question, thereafter the computer program code for displaying the visual indication can operate to display another visual indication for the newly selected answer

Art Unit: 3715

choice, and the computer program code for causing can cause the explanation of the correctness or incorrectness of the newly selected answer choice to be displayed, and the computer program code for displaying the question and the answer choice operates to sequentially display a series of questions and their associated answer choices, the question being associated with topics of the examination, and each of the question being assigned to one of the topic (as per claim 21).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Laplume (U.S. Pat. No. 3,665,615) - note Figs. 1-7;

Marsh (U.S. Pat. No. 4,044,476) - note Figs. 1-13;

Harper et al (U.S. Pat. No. 5,537,141) - note Figs. 1-10;

Kerwin (U.S. Pat. No. 5,616,033) - note Figs. 1-2B;

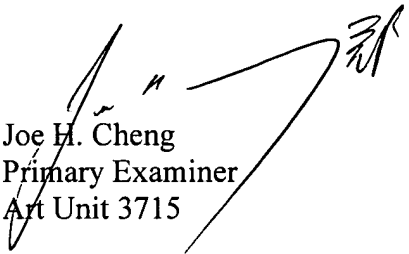
Cameron et al (U.S. Pat. No. 5,632,624) - note Figs. 1-8.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joe H. Cheng whose telephone number is (571)272-4433. The examiner can normally be reached on Tue. - Fri..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Monica S. Carter can be reached on (571)272-4475. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3715

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Joe H. Cheng  
Primary Examiner  
Art Unit 3715

Joe H. Cheng  
October 25, 2005